



[POLITICAL.]  
WE ARE TOO SURE.

Pacific Coasters Need Looking After.

Waymire Would Have Hanna Send Out Talkers.

Indiana "Aunties" Talk of a Third Ticket—The Bryanites.

INT DIRECT WIRE TO THE TIMES:  
NEW YORK, Aug. 12.—[Exclusive to the Times]—James A. Waymire, California Senator on California Hanna to-day urged the necessity of sending some strong Republican speakers to California for the campaign. Waymire told Hanna the Republicans of the Pacific Coast were as certain of McKinley's success that thousands were likely to stay away from the polls. He advised the State and National Committees would give 50,000 plunkary for McKinley, as the people on the Coast are enthusiastic for expansion.

Oregon and Washington, he stated, are certain to give McKinley their electoral votes and Utah, Nevada and Idaho are leaning that way. Waymire especially urged that Roosevelt be sent to the Convention to speak in behalf of the Coasters to make the trip. Roosevelt, however, would make no promises, referring Waymire to Committee-man Henry C. Payne, who is arranging his itinerary.

Champaign Hanna has received scores of letters and telegrams from the Mid-West in regard to inquiries, indicating that Bryan's speech on imperialism in accepting the Democratic nomination has failed flat in that section. Hanna was anxious to know if the speech had altered the political situation. Reports coming in say the speech has failed flat and that Bryan cannot make imperialism the dominant issue if he takes on it till election day. Some of the men and others who have studied the question intelligently favor expansion, while the voters who have not studied the question take little or no interest in it.

AT REPUBLICAN HEADQUARTERS.  
ANTI-LYNCHING DEBATE CALLS.  
IA. P. NIGHT REPORT:  
NEW YORK, Aug. 12.—The congressional visitor at the national Republican headquarters today was Little Clayton Jewett, the so-called "Jean d'Arc" of the Anti-Lynching League of Boston. Miss Jewett waited for some time while Gov. Roosevelt was talking with Senator Hanna. She then had an audience with the chairman.

When Senator Hanna was asked about the matter he replied: "Our girl, who wanted the Republicans to condemn lynching, has been very instrumental in the Anti-Lynching League. Of course we could not do it. We all deplore lynching. I told her that all moral persons and law-abiding people are against lynching. This is not a party matter."

ROOSEVELT'S ITINERARY.  
IA. P. DAY REPORT:  
NEW YORK, Aug. 12.—At Republican headquarters today, Senator Scott of West Virginia said that the itinerary for Gov. Roosevelt has been arranged with Senator Henry C. Payne of Chicago for him to confer with all the places where the Governor will speak, and get the dates arranged before it is made public.INDIANA "AUNTIES."  
TALK OF A THIRD TICKET.  
IA. P. NIGHT REPORT:  
INDIANAPOLIS, Aug. 12.—The congress of the Anti-Imperialist League will be called to order Wednesday morning in Indianapolis Hall by Sen. John J. Williams of Missouri, who will introduce ex-Gov. Boutwell of Massachusetts as "presiding officer."

Gov. Boutwell is opposed to placing a third ticket in the field, and will use all his influence to prevent the nomination of a third ticket and likewise the endorsement of Bryan and Stevenson.

Cart Schurz will take part in the convention. It is stated positively. It is also affirmed that Schurz will insist upon an Indiana ticket. Bryan, Stevenson, and that he will be aided in this by Henry U. Johnson, ex-Republican Congressman from the Sixth Indiana. Stevenson, Cookson, and others are engaged in an address to the State.

THE BRYAN PEOPLE.  
CONFERENCE AT CHICAGO.  
IA. P. DAY REPORT:  
CHICAGO, Aug. 12.—Chairman Park Martin of the Indiana State Central Committee and Mayor Taggart of Indianapolis were in conference today with Chairman Jones of the National Committee and Vice-Chairman Johnson. Bryan and ex-Gov. Atwood of Illinois and Stone of Missouri also were present. It is expected that Bryan will speak at the meeting in Indiana toward the close of the campaign.

Webster Davis, on his way to Wheeling, W. Va., for a speaking tour, was a caller at Democratic headquarters today. W. C. Dewart, of the Bureau of Organization, has returned from Ohio. He is of the opinion that Ohio will cast its electoral vote for Bryan.

MONEY LEAGUE AND BRYAN.  
IA. P. DAY REPORT:  
DENVER (Colo.), Aug. 12.—William J. Bryan will receive notification of his nomination for the Presidency by the United States Monetary League at 10 a.m. today. The party notification committee, the President's attitude on the Chinese question demonstrates that he is not an imperialist. The Alaskan boundary, he says, will eventually be settled on the original lines established by the treaty of 1867.

DARK CLOUD ON HORIZON.

IA. P. NIGHT REPORT:  
CHICAGO, Aug. 12.—Bryan had a conference today with a delegation of colored men, headed by J. Milton Turner of St. Louis, former Minister to Liberia. They represented that there was much dissatisfaction among the members of their race with the present

administration, and assured Bryan that he would receive the votes of many of them. They therefore urged the importance of the organization of Bryan Democratic clubs.

The date of the departure of Mr. and Mrs. Bryan for Lincoln is fixed for Wednesday night at 10 o'clock. Bryan's speech before the Bryanites will be made at Sunnyside Park, Wednesday afternoon.

BRYAN MEETS HIS MATCH.

CHICAGO, Aug. 12.—Bryan closeted himself with a phonograph today, and delivered a speech in which the sections of acceptance he made at Indianapolis last week. Those sections in which the candidate promised to call an extra session of Congress to consider the Philippine question and the closing periods were the principal parts of the speech that went into the phonograph. In making this Bryan's speech, he ground out by the phonograph, will play an important part in the campaign.

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## NOT A REAL CITIZEN.

Los Angeles Swede Finds His Conscience.

Having "Got Religion" He Seeks to Right a Wrong.

Obtained Naturalization Papers Under False Pretenses.

NOT DIRECT WIRE TO THE TIMES:

CHICAGO, Aug. 13.—Exclusive Dis-  
posal Adolph Christianen, erstwhile  
of Sweden, but now residing in  
Los Angeles, Cal., had such trouble  
with his conscience since he became  
converted that he seeks to right a  
wrong done to him.

Adolph came to this country ten or  
more years ago, and with the assist-  
ance of his friends, was railroaded  
through the naturalization forms be-  
cause he had lived here the time re-  
quired by law. The transformation  
from a subject of Sweden King to a  
citizen of the United States took place  
in Chicago. Christianen then turned  
his face toward California.

Attending a camp meeting, he "got  
religion" in the good old Methodist  
way, but every time he shouted, his  
conscience seized him at the sleeve un-  
til his heart would stop. Ice, and the  
sweat on his lips, caused him to be-  
set and pained the following day.

George W. Knox, president of the club,  
called for order promptly at 8  
o'clock, with every seat occupied and  
standing room at a premium. Ex-Gov.  
John L. Beveridge was the first speaker  
called out, and he made a five-min-  
utes' talk with some Arizona stories to  
enliven proceedings.

The stalwart veteran of many cam-  
paigns, ex-Gov. John L. Beveridge,  
was next introduced, and amid the  
laughter of the crowd, said:

"What are the tenets of the  
Democratic party? Tell me what the Re-  
publican party stands for, and I will  
tell you what the Democratic party stands  
against. It is anti-everything that is  
Republican and nothing more. Grover  
Cleveland pulled down the American  
flag in the Spanish Islands, and if  
Bryan should be elected he would pull  
it down in the Philippines, for he has announced  
that he would do it."

Referring to the alleged nurturing of  
trusts by a protective tariff, the  
speaker contrasted the condition of the  
country under the administration and  
the present situation. "High tariff is  
not responsible for the trusts," he said.  
"We have trade England the trust has  
been found, and we have them here, even  
Dick Croker's ice trust in New York.  
But the high tariff takes a premium  
from the who ever heard of a tariff on  
trusts?" [Laughter.]

"Democrats have had a trust.  
Two years ago the Spanish-American  
States have been often called Dem-  
ocratic, yet a single Democratic State  
Legislature has passed an anti-trust law  
except the State of Texas, and Bryan's  
own State of Nebraska is not the  
parent of the trust; it is simply a  
protection for our home industries."

The speaker, however, has a good  
argument for order prompt at 8  
o'clock, with every seat occupied and  
standing room at a premium. Ex-Gov.  
John L. Beveridge was the first speaker  
called out, and he made a five-min-  
utes' talk with some Arizona stories to  
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"I had not been a resident of the  
United States the full time required  
when I obtained my title from your  
honorable court. I arrived in this country  
in June, 1885, and I have remained  
ever since. I am now a resident  
of Los Angeles, California, and if  
Bryan should be elected he would pull  
it down in the Philippines, for he has announced  
that he would do it."

"I am a Christian, and can under-  
stand the blame and faith of that life. I  
see it my duty to inform you from  
my conscious soul that I have obtained  
my naturalization papers under false  
pretenses."

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PUBLISHERS OF

## The Los Angeles Times

DAILY, Weekly, Sunday, and Weekly Magazine.

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## THE TIMES' TELEPHONES.

The new number of The Times' telephones are as follows: Business Office, Main 7, changed from Main 52; News Room, Press 4, changed from Main 624; Editorial Room, Press 3, changed from Main 27; Times-Mirror Printing and Binding House, Press 4, changed from Main 453.

## NOTICE TO PATRONS.

The Times has a regular carrier service at Long Beach, Santa Monica, Ocean Park, Redondo, Terminal Island, Catalina and San Pedro. City and out-of-town patrons who intend locating at any of these places may have the paper delivered to them promptly and regularly every day by leaving notice of desired change of address at The Times office, or with any of our agencies.

## THE CHINESE SITUATION.

Yesterday's developments in the Chinese situation were not especially important. The latest reply of our government to the peace overtures of China were made public. The reply, as had previously been outlined in the dispatches was virtually a reiteration of the position assumed by the administration in a former communication. In substance, the Chinese government is informed that there can be no peace negotiations and no cessation of the advances upon Peking while the foreign ministers are held as prisoners. A definite suggestion for the rescue of the prisoners is made as follows:

"We are ready to enter into an agreement between the powers and the Chinese government for a cessation of hostilities on condition that a sufficient body of the forces commanding the relief expedition shall be permitted to enter Peking unopposed and to escort the foreign ministers and residents back to Tien-Tsin, this movement being provided and secured by such arrangements and dispositions of troops as shall be considered satisfactory by the general commander of the forces composing the relief expedition."

This proposition brings the matter up to a point where the Chinese government will be obliged to act in compliance with the reasonable demand submitted to it to condemn its duplicity and accept the alternative of open hostility.

In the mean time, the "Red" forces are pushing forward to the relief of the ministers as fast as possible. Gen. Chaffee, cabled under date of August 10 (which dispatch was received yesterday) to escort the foreign ministers and residents back to Tien-Tsin; this movement being provided and secured by such arrangements and dispositions of troops as shall be considered satisfactory by the general commander of the forces composing the relief expedition."

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A Shanghai dispatch to the London News says that troubles have begun in the Yang Tze Valley at Ta Tsin; that there have been serious riots, and that the telegraph station has been destroyed.

Reports of continued massacres of Christians still come from points in the interior of China, and the general situation is far from reassuring.

The American transport Sumner arrived at Nagasaki, August 10, with reinforcements and supplies, including guns, for Gen. Chaffee. These were forwarded to Taku on the interior, and have probably reached that fort by this time. The addition to Gen. Chaffee's effective force will doubtless be very welcome.

There were 100 Republicans in Pasadena, who in Los Angeles county, and says in the Sixth Congress District who refused to vote for James McLaughlin when he ran for Congress and was defeated in 1896. Is there any reason to believe that this number has decreased since then? The supposition is, rather, that the number has increased. And the number will certainly be still further increased between now and election day should the candidacy of Mr. McLaughlin be forced upon the Republicans of the Sixth District against the earnest protest of a large element of the party. The nomination of McLaughlin would be equivalent to the election of a Democratic Congressman from this district, as in 1896, and again in 1898.

So far the foreign governments in China have avoided serious friction with one another, but the most trying time for the preservation of harmony will come when the crisis with the Chinese is over and the adjustment of results and future conditions comes to be made.

## THE CAUCUSES.

The Republican caucuses have been called for tonight. Their purpose is to choose delegates to the Assembly District conventions, to be held in each Assembly District of the county August 16, which conventions will select delegates (to be voted for at the primaries) to the State convention and the Congress District convention. The Sixth District Congress convention is to be held at Santa Barbara August 22, and the State convention at Santa Cruz September 5; delegates to the Congress convention to serve also as delegates to the State convention.

The caucuses should be largely attended by all Republicans who desire the success of their party, and who are willing to do all in their power to contribute to that success.

The several places where the caucuses will be held in the city are described elsewhere in The Times.

The work of the primaries is important, always. It will be more or less easily so this year. It is stated on good authority that the reputable gang of local politicians, known familiarly as "the push" composed of partisans of both parties, have arranged to invade the caucuses throughout the county and district, and to do their utmost to send delegations to the conventions who will vote to place McLaughlin in nomination for the office of Congressman from the Sixth District. There is unquestionably a strong and wholesome sentiment in the Republican party which is opposed to the nomination of McLaughlin; a sentiment which, no matter what it is founded upon, will insure his defeat at the polls. This sentiment should make itself felt at the primaries, to the end that the Republican party may be saved from making the fatal mistake of nominating a candidate who cannot be elected.

The sentiment against the nomination of McLaughlin is wholesome, legitimate, and from every point of view justifiable. It should make its influence felt in a manner so emphatic that there will be no mistaking its meaning.

A man in private life is judged in large part by the company he keeps. A political candidate must submit to being judged in large part by his political associates. James McLaughlin has often been associated with a class of cheap and unscrupulous politicians, most of whom have long since forfeited the confidence, and even the respect, of the Republican party. Dan Burn, the would-be political dictator, is the directing spirit of this disreputable gang, and his lieutenants are known to be working, both openly and secretly, for the nomination of McLaughlin.

If we are looking for the cause of Mr. McLaughlin's manifest unpopularity among the better elements of the Republican party, we need look no further. His association with those who represent and practice the Dan Burn brand of politics should be, and is, sufficient to account for the undeniable fact that a large proportion of the voters of his party do not want him for a candidate, and will insure his defeat at the polls if he is nominated.

The family of the Burn-McLaughlin

gang in forcing this unpopular, defeated and disgruntled candidate upon the Republican party of the Sixth Congress District is astounding. It would almost seem as though the movement was of Democratic inception, thus insuring the election of a Democratic Congressman from this district. It is a fact already established that the "push" politicians who have fastened themselves like barnacles upon the Republican party, do not hesitate, when occasion arises, to work in conjunction with the Democratic "push" for the accomplishment of a desired end. If they are not working with the Democrats in the present case, they are undeniably working for the election of a Democratic Congressman in putting forward a Republican candidate who is certain to be defeated.

Republicans, if they will, can prevent the consummation of this plot against McLaughlin's success. The people of

Los Angeles and the surrounding districts

should be kept up all along the line until it is crowned with success.

A Kansas woman has promised to

be an admirer who is a McKinley

man if the President shall be reelected, but will sacrifice her happiness on a Bryan man in case the Democrats win. She has evidently hit upon an easy way to let the Bryanites down.

Daily reports of deaths by the score

from heat in the East are among the many circumstances that promote contentment with life in the Far West.

Apparently the only way for the United States to realize anything on its interest in Turkey is to apply for a re-cess.

"The county fumigating crew will re-work some tomorrow night," says a Riverside report. The crew will do well to operate on the political path that is trying to run things in that county.

## REPUBLICANS, TURN OUT!

In view of the Congressional contest, the Republican caucuses to be held this evening in every precinct in the county are of great importance. Precinct meetings are always the fountains of good or bad politics. In this instance they will select delegates to the Assembly District caucuses which will nominate the delegates (to be balloted for at the primaries) to both the State and Sixth Congress District conventions.

Elsewhere in this issue will be found a nearly complete list of the places where the precinct caucuses in this city will be held. The arrangements for the caucuses seem to be in a chaotic condition. Some of the precinct committees have not attended to their duties, others are out of town, and in certain precincts nobody seems to know who the committee man is. In some cases a placard or two has been nailed up, but in many the placards have not been nailed in any manner of the meeting place. No general effort to call out voters has been made, and in three separate instances last night the precinct committee man told a Times reporter that the caucuses was not to be published—indicating crooked intentions somewhere.

It is the obvious duty of every Republican voter to first inform himself as to the location of his precinct caucuses and then get there. No Republicans can afford to let the civic duty go by default and permit the push to get there for him. If this campaign is to be started right, the right start must be made right away, which means tonight. Republicans should look over the list in The Times, and if it does not give the required information, investigate during the day, find out where the caucuses are to be held and be on hand to do their part right politics. These caucuses should not be permitted to fall out of the hands of the people into the control of a designing clique.

PERIL IN THE SOUTH.

Strange as it may seem, dangerous conditions are arising in the South as a result of the introduction of new industries. Ordinarily the general prosperity is promoted and social conditions are improved by an increase of industrial enterprises, but such is not the case, as will be seen in the following account of Congressmen from the South.

A correspondent in Philadelphia tells some startling facts about conditions that have grown largely from the establishment of cotton mills in that section. As is well known, many of the mills of New England have been and are being taken to the Southern States. In these mills in the South, this correspondent says, the larger part of the work is done by children. He saw children 8 and 9 years of age working from 6 o'clock in the evening until 6 o'clock in the morning for 25 cents a night. The fact that there is no restriction on child labor there enables mill owners to save a very large amount on their salary list as compared with this expense in New England. "One of the mills which I visited in Concord, N. H.," the correspondent says, "has increased its capacity threefold in thirty years and at the same time has paid regularly to per cent. dividends. There are," he adds, "some fifty mills in Charlotte and half as many in Concord, and was told they were all doing well."

One can easily believe that where labor can be secured at less than 2 cent an hour good profits may be made from judicious investments in manufacturing enterprises. But, meanwhile, what about the children who work twelve hours out of the twenty-four, some of them at least working during the night? Evidently their lives are being ground out of them, and they will be but physical wrecks when they reach manhood and womanhood, if they shall reach that estate. Another result scarcely less unfortunate is that these children are growing v without education, "with the certain result," as the correspondent quotes, "that the already great percentage of illiteracy among the whites is being rapidly increased and the race is rapidly degenerating, both mentally and physically."

These conditions are not only a crime against the children, but they are a sure precedent of calamity to the States in which they exist. These thousands of children are to become the future citizens on whom will devolve the responsibilities of the electoral franchise and the conduct of government. For these responsibilities they will be utterly unprepared, and the result cannot fail to be disastrous. Ignorance is the father not only of error but of crime.

The whites of the South cannot afford to let their bitter hatred for the negro lead them to sacrifice their own children in the mills, rather than let the colored people work there. The recent outrageous crimes in New Orleans are an indication of what may be expected elsewhere and often if this state of the negro shall continue and a race of ignorant whites shall be raised.

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LOS ANGELES, Aug. 11, 1900.—(To the Editor of The Times.)—It is a matter of serious import that the Republicans should be so divided in regard to a suitable candidate for Congressman from this district. Especially is this true when we consider that the loss of this seat will be a heavy blow to the House of Representatives from a Republican majority to a Democratic majority.

That alleged contribution of "between \$6,000,000 and \$7,000,000" made by President Kruger to the election expenses of would-be President Bryan will doubtless be appreciated when it is revealed.

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## THE JUNGLE-MAN.

IN THE MOUNTAINS, a tent where we sleep a spirit-shaded, double in the gloom of the moon; the evening sun demands a feeling of remembrance, and-forgotten dream.

grows the mountain; and the mystic heavens above are white and silent moon; fire-light in the water like stars have bound her, an impudent, musing river she, and dreamyrene.

we listen with emotion to the song of the bacon; a dog barks through the night in a grit of glistening glee; the peace of the camp is lost by sleep of exhaustion; mortals who are camping in the mountains, think of met

to be a Willie, with the Willie stand;

wait on my noble frame, a jamb;

among the Willies, names, donchakers, a foot as once I was, forty years ago!

the Home of the Constitution built on the plan of a house, not a house clear over God, the Philippines? It is to love the hopelessly more than the one disagreeably dead. The idea of "simplifying" about the same degree of

comes seems to be the answer of the gazing eye and his thumbful of a summer. There seems to be a man, trying to make the Los Angeles branch of his creek factory.

are certainly very lively but in being made in large numbers which the mounted archer the mace of the sufficient crack, who are moved to predict the fall.

in the Gobob and claimed to know who shot. One "responsible" is proved to have been in at the time the shot was made, being "responsible" that he must be punished or a telephone goes on the telephone, distorting the truth with occult influence. It may be it must be something else.

At any rate the unscrupulous who go on the Gobob have our most hearty for the way in which testing is about to be made of the collection of Mastodon that it would not be backed about from the backwoods of dear old

to decide which is the more Jerry Waterson's horse or Ignatius Donningtrotto. The one and only one can be cast out by the Domination of Freshes would be a violation of smallpox

comes to be presented, and the last to be heard the state of man.

His wears a shirt; other garments make it mounted outside to judge Wittenberg from the real

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TUESDAY, AUGUST 14, 1900.

## The Times.

## EVENTS IN SOCIETY.

(Communications intended for the society column of The Times must be signed, and must be addressed to the editor of the page. Anonymous announcements of society events, etc., etc., etc., and those which, because they are written, will receive no attention.)

Miss May Newton, of South Pasadena, entertained at her home yesterday in honor of Miss Grace Mae Lambkin and Miss Julia Dean of the Nelli company, playing at the Burbank. Miss Lambkin is a former schoolmate of Miss Newton at Emerson College, Boston. The following names were present: Mabel, Arthur, Watson, and William West; Misses Bird, Chandler, H. Kimble, Dorothy Wellborn, Mabel Crow, Flores Howes, Lila Wellborn, Maude M. Newell, Mollie A. Brown.

Weather Conditions.—Cloudy weather is expected to prevail throughout the day. It is as well as from the mountains except in the Lower Missouri Valley, where it is cloudy and cool. The maximum temperature yesterday was 75 deg.; minimum 58 deg. Barometric reduced to one level.

Weather Conditions.—Cloudy weather is expected to prevail from South Pasadena to the mountains. Elsewhere on the coast it is as well as from the mountains except in the Lower Missouri Valley, where it is cloudy and cool. The maximum temperature yesterday was 75 deg.; minimum 58 deg. Barometric reduced to one level.

Local Forecast for Los Angeles.—Cloudy tonight, becoming fair with continued moderate temperature.

Local Forecast for San Francisco.—Cloudy, with general rain. Wind from the northwest.

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## WATER COMPANY WINS

Rate Case Decided  
Against City.Judge Ross Upholds Famous  
Thirty-year Contract.Injunction Continued in Force—Com-  
pany to Collect Old Rates.

In the United States Circuit Court yesterday morning Judge Ross rendered his decision in the case of the Los Angeles City Water Company vs. the City of Los Angeles, a suit to declare invalid the ordinance adopted by the City Council on February 26, in which were established rates which the plaintiff company was to charge the local consumers of water.

The result is a victory for the water company and is of importance to a large majority of the householders of Los Angeles, for it affects the price which each must pay for water. The court not only decides that it has jurisdiction and that the ordinance is invalid, but what is of more importance, the decision is to the effect that the famous contract of 1868 is still in force in so far as it relates to the transference of the company. The city must first pay the plaintiff or at least tender the money to the company before it can legally reduce the rates below those provided in the contract itself. The company can go ahead and collect the old rates.

The counsel for the city, for they had confidently expected that the decision would be in the city's favor. In fact Judge Ross' opinion is to the effect that the city's side of the case was the better side. It is not yet known whether there will be an appeal from the decision, but it is not considered probable that an appeal will be taken.

The decision contains sixty pages of typewritten manuscript, written by Judge Ross, and taken an hour and a half. At the conclusion, City Attorney H. H. Bates tried to secure some modification of the injunction granted by the court against the city preventing the enforcement of the ordinance, but that was denied.

The record shows the couplet history of the contracts which the city has entered into for the distribution of water. The contract of 1868 is quoted in full. Considering the time and attention to detail to the contentions of the city and the company, pointing out the law and quoting largely from decisions of other courts.

As to the court's jurisdiction, Judge Ross has this to say:

"The thirty years mentioned in this contract ended with the 2d day of July, 1898, for which reason the defendants contend that the contract then came to an end, and for which reason they contend that the court has no jurisdiction of this cause. The objection to the jurisdiction of the court is clearly without merit. Whether or not the contract ended with the 2d day of July, 1898, as well as the results to flow from the determination of that question, are questions involving the exercise of jurisdiction, and can only be determined by the court having jurisdiction of the case. The bill alleges that the contract, including all of its provisions and conditions, continues in force, and the notwithstanding that fact the defendant city, under and pursuant to the provisions of sections 1 and 2 of act XI of California, Statutes, 1870, of the State of California, adopted in the year 1870, and by virtue of an act of the Legislature of the State of California, approved June 1, 1871, and the exercise of those provisions of the Constitution of the State, enacted the ordinance in question fixing the rates at which the company should furnish water to its consumers at rates aggregating \$75,000 less than those prevailing at the time of the execution of the contract of July 22, 1868.

In view of its provisions and contrary to that provision of the Constitution of the United States securing it against impairment of the value of its debts, the court held that the question as to the validity of Federal legislation does not admit of doubt; and it is equally plain that if the contract is still in force, a court of equity only is capable of rendering the complaint appropriate relief."

Judge Ross recounts the constitutional provisions involved, and the statute in accordance with which he gave a general summary of the bill in equity brought by the plaintiff company. He describes the relief sought, and follows as follows:

## THEIR RELIEF SOUGHT.

The relief sought by the complainant is a decree that the ordinance of February 26, 1894, is, as respects the complainant, a violation of its rights under the contract of July 22, 1868, and that the court should declare that the defendant is entitled to collect water rates as in that contract, and that pending action for enforcement or attempting to enforce, as respects the complainant, either of the ordinances of 1894, and that the defendant city be restrained from taking possession or attempting to take possession of the system of waterworks, and that the defendant be compelled of the possession thereof, or from collecting or attempting to collect any rates for water furnished thereby, from the 1st day of January, 1894, until the 1st day of January, 1895, and that the defendant be restrained from collecting or attempting to collect any rates for water furnished thereby, from the 1st day of January, 1895, until the 1st day of January, 1896, and for such other and further relief as may be equitable and just.

## THE COURTS' OPINION.

It is agreed that the case involves no question between the city and the Crystal Springs Land and Water Company in respect to the water, whatever its nature, alleged in the bill to have been derived by that company from its own lands and from the complainant company. The exceptions to that portion of the bill, therefore, setting out the nature of the water alleged to have been derived by the Crystal Springs Land and Water Company on its lands, as well as its source of supply, will not be considered by the bill alleging the percentage upon the actual value of the property in question, and will not be considered upon the award referred to in the bill against the rates established by the complainant company. The exceptions of the bill in regard to the conduct of the respective parties under the contract are not pertinent. The construction of the contract by the parties to it by their conduct, is always allowed to be shown, and is

## LOS ANGELES HASN'T A LEG TO STAND ON, IN THIS CASE, ACCORDING TO THE COURT.

often of controlling weight in ascertaining their true meaning. Under this familiar rule, and for reasons afterward stated, I am of opinion that none of the other exceptions filed by the defendants are to be taken. The city in making such a contract, that here involved is acting in a quasi-private business capacity rather than in the public interest, and is, therefore, governed by the same rules that govern a private individual or private corporation, is well settled. *City of Texarkana vs. City of Arkansas City, 76 Fed. Rep. 271, and numerous cases there cited.*

## FUNDAMENTAL QUESTION.

The fundamental question in the case relates to the status of the respective parties to the contract of July 22, 1868, upon the execution of the thirty years mentioned in the contract. That question, together with the incidental rights growing out of that status, are the questions for determination.

Upon the expiration of the period of litigation arose between these parties in the Superior Court of Los Angeles, and it was referred to the Supreme Court of the State. It was there said that the main question in the case was this: "Had the city the right to take possession of the waterworks at the end of the thirty years without paying for the same, or tendering payment?" And the court, in its opinion, held that the contract, as it stands, is not valid, notwithstanding the fact that the complainant had not tendered the value of the improvements made by the company.

## THE CITY'S GRANT.

The city, in consideration of the performance of their obligations on the part of the parties for the second part of the contract, granted to them, their heirs, executors and assigns, the exclusive use, control, possession and management of the waterworks, together with all the singular pipes, flumes, wheels and other personal property composing the rights, easements, privileges and covenants described and contained in the Sainsbury lease, for the period of the thirty years.

It is the opinion of the court that the act provides that no grant so made shall confer the right to operate the waterworks for any period of twenty years, yet such provision is no more imperative than the one that at the expiration of the twenty years the city shall have the right to purchase and pay for the same.

It is the opinion of the court that the right to purchase and pay for the same is not given to the city, but to the complainant.

## THE ACT HAS NO MERIT.

It ought not to be necessary to cite decisions to show that this contention is without merit. It is a self-evident proposition that it takes at least two parties to make a contract, and it is equally plain that as long as it is not a contract, there is no right to its performance.

It is the opinion of the court that the right to purchase and pay for the same is not given to the city, but to the complainant.

It is the opinion of the court that the right to purchase and pay for the same is not given to the city, but to the complainant.

## WHAT SHALL IT DO?

The complainant here being entitled to the exclusive possession and control of the waterworks, it was explicitly adjudged in the former case that it takes at least two parties to make a contract, and it is equally plain that as long as it is not a contract, there is no right to its performance.

It is the opinion of the court that the right to purchase and pay for the same is not given to the city, but to the complainant.

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## THE CONTRACT IS VALID.

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## THE CITY IN BRIEF.

## AT THE THEATERS.

BURRANE—Master of Woodbarrow.

ORPHEUM—Vanderbilt.

## COMPARATIVE TEMPERATURES.

	Min.	Max.		Min.	Max.		
Boston	29	62		Buffalo	29	62	
Washington	29	62		Cincinnati	29	62	
Philadelphia	29	62		St. Louis	29	62	
St. Paul	29	62		Kansas City	29	62	
St. Louis	29	62		Chicago	29	62	
New York	29	62		San Francisco	29	62	

The maximum is for August 12; the minimum for August 13. The mean is the average for the two days.

## TEN DOLLAR REWARD.

The Times offers a reward of \$10 in cash for the apprehension, arrest and evidence which leads to conviction of any person caught stealing copies of The Times from the premises of subscribers.

## THE TIMES-MIRROR COMPANY.

## PARAPHRETTES.

## Live Wire Fell.

At 12:30 o'clock last night a live wire fell from the roof of the Arcade Station, igniting the woodwork. A chemical engine smothered the blaze and the dangerous wire was removed. Coming to Los Angeles.

The State convention of the Socialist party will be held in Los Angeles on Aug. 18. The meeting will be a call just issued. There will be sixty-three delegates, to be elected at the primaries.

## Lamp Exploded.

A coal oil lamp exploded at 8:35 o'clock last night in the residence of E. E. Meadow, No. 119½ S. Cherry second street, igniting a pair of lace curtains. The blaze was extinguished before the arrival of the department.

## Painted Signs.

Emerson Dixon of No. 902 Date street, & painter in the employ of the Pie-Meal Paper Company, got his right hand caught in the grippers of a cylinder press. It was yesterday. The first and middle fingers were badly crushed and the latter may have to be amputated.

## Quick Death.

Jacob Diamond, an elderly man, died suddenly after a severe hemorrhage yesterday morning in his home on Bricana street. The coroner was summoned, but after an investigation it was decided that an inquest was unnecessary.

He was formerly a fruit dealer. He had suffered from consumption for some time.

## Bob's Sore Stump.

A woman who lives on South Hill street complained to the police last night about some vagabond pigeons which had been by her house for some time.

She was advised to trap the birds and have pigeon pie for dinner, but that wasn't what she wanted.

A woman who wanted to abate the nuisance with a blunderbuss.

## Tired Feet.

John Fallon, a hobo with both legs gone, was treated at the Receiving Hospital yesterday morning. Fallon says his home is in Moranton, Pa. For months he has been a quarter of the cheap wine joints on Aliso and Alameda streets. A dangerous disease has focused on one of his digits and he is in a bad condition. He was removed to the County Hospital.

## Not Looking for Work.

Over in the southwestern part of the city there is occasionally seen an odd character going about packing a blanket and a bag. He is a tramp, but to help the apparently poverty-stricken stranger, one of the residents offered him work at cutting down some trees. "Strawman" said the old fellow, "I've got twenty dollars in my pocket, but I'm not working out, 'an' isn't likely I'll begin now. Excuse me, if you please," and the sympathetic resident went off, "all worked up."

## Cripple Goss.

Cripple Goss, a cripple who had been a family friend, peddled pencils on the streets for some time past, died at the Receiving Hospital at 10:30 a.m. yesterday. Morton was sent in from New Haven, Conn., yesterday evening, a state of collapse, from fibrillation. When he arrived at the hospital he was barely able to give his name. During the night he died. The reason that death was due to chronic alcoholism. Deceased was about 40 years old.

## Whist Tournament.

The Los Angeles Whist Club's tournament is nearing its close, there being but two more nights' play for the individual and team tournaments. The eight nights' play, stands as follows: Plus: James Foord, 52; F. J. W. Harkness, 51; Mrs. S. C. Baxter, 51; J. W. Harkness, 50; F. L. Thompson, 49; Mrs. A. L. 24; Mrs. C. C. Oakey, 12; Mrs. A. Dickinson, 4; Dr. J. A. Munck, 6; Mrs. M. P. King, 6; Minus: Miss Anna Shields, 4; Mrs. C. E. DeCamps, 4; Mrs. Josephine, 4; Mrs. M. E. Wood, 12; Mrs. W. H. Spinks, 18; Mrs. N. Goff, 21; Dr. W. H. Spinks, 20; Miss M. Shields, 60; S. C. Baxter, 58.

## NEWS AND BUSINESS.

The edition de luxe of the Milwaukee Number, 10,000 copies, on fine paper, with beautiful illustrations, is the most complete, as well as the handsomest, you can buy. Order now at any of the Times' business offices, or at any of the leading book stores. If you want something handsome to send to an eastern friend, or a special birthday or complete publication is what you are seeking. Nothing in illustration or text which will give an idea of the Southwest, its climate, products, and its resources, is equal in size to ordinary 500-page book. Price 50 cents per copy. The Times-Mirror Company, publishers.

## The Needy.

Save your old clothing, bedding or stove for poor families of the city. A request is also made for shoes and clothing for poor children. There are many poor families in need of clothing, food, and potatoes, beans, groceries, or canned fruit will be most welcome. Please receive. Order at the Hotel Wilshire at the "Good Samaritan" (formerly Capt. Fraser's place), No. 121 East Seventh street, and anything you have to donate will be called for.

Parents seeking a boarding school of the very highest grade for their sons should apply to the State Normal Institute at San Francisco, Calif., twenty miles from San Francisco. Rev. W. A. Brewster, A. B., pastor, headmaster.

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